

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**ROBERT I. HANFLING, CHAPTER 11  
TRUSTEE FOR ATG, INC. AND ATG  
CATALYTICS L.L.C.**

**Plaintiff,**

**vs.**

**EPSTEIN BECKER & GREEN, P.C.,  
et al.,**

**Defendant(s)**

**C.A. No. 05-10077-RGS**

**July 18, 2006**

**SUPPLEMENTAL AFFIDAVIT OF ROBERT M. FLEISCHER**

I, Robert M. Fleischer, having been duly sworn, deposes and states as follows<sup>1</sup>:

1. I am a member in good standing of the Bar of the State of Connecticut and am admitted, *pro hac vice*, to this Court in this action.
2. I submit this supplemental affidavit in support of the plaintiff's opposition to the motion for summary judgment filed in the above-captioned matter by defendant Epstein Becker & Green, P.C.
3. Attached hereto as Exhibit I is a true and accurate copy of a draft billing invoice issued by EBG to MMT, dated January 12, 1998 (EBG 3674 through EBG 3681) obtained by Plaintiffs from EBG through discovery in this case.

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<sup>1</sup> This affidavit is supplemental to the affidavit of Robert M. Fleischer filed with the Court on July 7, 2006. The original affidavit contained exhibits A through H. In order to avoid confusion, the exhibits to this supplemental affidavit begin with Exhibit "I", picking up where the original affidavit left off.

4. Attached hereto as Exhibit J are true and accurate copies of selected pages from the transcript of the deposition of Carole Schwartz taken in this case on May 9, 2006, pages 45, 50-51, and 82-84.

5. Attached hereto as Exhibit K is a true and accurate copy of a draft billing invoice issued by EBG to MMT, dated November 10, 1997 (EBG 3741 through EBG 3747).

6. Attached hereto as Exhibit L are true and accurate copies of certain business records of MMT pertaining to billing invoices submitted to MMT in February of 1998, obtained by Plaintiffs from counsel for the MMT Trustee through discovery in this case.

7. Attached hereto as Exhibit M are true and accurate copies of certain business records of MMT pertaining to billing invoices submitted to MMT in April of 1998, obtained by Plaintiffs from counsel for the MMT Trustee through discovery in this case.

8. Attached hereto as Exhibit N are true and accurate copies of selected pages from the transcript of the deposition of Alan L. Braunstein, taken in this case on April 10, 2006, pages 53 - 54.

9. Attached hereto as Exhibit O is a true and accurate copy of a letter dated November 10, 1997 from A .James Andrews to Carole Schwartz Rendon, obtained by Plaintiffs from counsel for the MMT Trustee through discovery in this case.

10. Attached hereto as Exhibit P are true and accurate copies of selected pages from the transcript of the deposition of Eugene Berman, taken in this case on April 13, 2006, pages 32- 38.

11. Attached hereto as Exhibit Q is a true and accurate copy of a two page facsimile dated October 23, 1997, from Latham & Watkins to various parties, obtained by Plaintiffs' counsel from counsel for the MMT Trustee through discovery in this case.

12. Attached hereto as Exhibit R is a true and accurate copy of document titled "Molten Metal Technology, Inc., DOE Subpoena, Contact List", obtained by Plaintiffs from counsel to the MMT Trustee through discovery in this case.

13. Attached hereto as Exhibit S is a true and accurate copy of a letter dated April 7, 1998 from Ethan Jacks to Carole Schwartz Rendon, obtained by Plaintiffs from counsel to the MMT Trustee through discovery in this case.

14. Attached hereto as Exhibit T is a true and accurate copy of a letter dated November 5, 1998 from David W. Babner to Bill Hewitt c/o Glenn D. Burlingame, Esquire, obtained by Plaintiffs from counsel to the MMT Trustee through discovery in this case.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 18<sup>th</sup> day of July, 2006.

s/Robert M. Fleischer  
Robert M. Fleischer

**Certification of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 18<sup>th</sup> day of July, 2006.

By: /s/ Robert M. Fleischer  
Robert M. Fleischer

# EXHIBIT 'I'

Molten Metal Technologies, Inc  
400-2 Totten Pond Rd.  
Waltham, MA 02154

January 12, 1998  
\*DRAFT\* MEMO 104041

through 12/31/97:

30659/100  
General

08/28/97	C.S.Schwartz Rendon	Meeting w/Kristi Rea re: continued interview.	2.3	540.50
09/04/97	C.S.Schwartz Rendon	Drafting letters for Kristi Rea re: payment terms and conflict issues.	.2	47.00
09/10/97	C.S.Schwartz Rendon	Tel. conference w/Karen Green re: Bill Hancy's interview.	.2	47.00
09/16/97	C.S.Schwartz Rendon	Travel to Molten Metal for meeting with Ethan Jacks re: recent developments.	3.2	752.00
10/10/97	C.S.Schwartz Rendon	Telephone conferences with E. Jacks, J. Maguidad, W. Corpening (FBI); meeting with J. Maguidad; telephone conferences with K. Rea and M. Thompson	3.6	846.00
10/14/97	C.S.Schwartz Rendon	Telephone conference with B. Froeberg, DOE regarding interview schedule; drafting letters for Josefina Maguidad regarding representation; conference call with G. Berman; telephone conference with K. Rea; telephone conference with C. Nagel.	2.4	564.00
10/15/97	C.S.Schwartz Rendon	Travel to Molten Metal for meeting with C.	4.2	987.00

EBG 3674

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Motlen Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

	Nagel and G. Berman; telephone conference with K. Green; telephone conference with K. Bender regarding interview schedule.		
10/16/97 C.S.Schwartz Rendon	Telephone conferences with B. Froeberg, G. Berman and M. Guzman	1.1	258.50
10/17/97 C.S.Schwartz Rendon	Telephone conference with B. Froeberg regarding interview schedule; telephone conference with G. Berman	.2	47.00
10/20/97 C.S.Schwartz Rendon	Telephone conference with M. Thompson regarding interview; numerous telephone conferences with other MMT employees and B. Froeberg regarding same.	3.2	752.00
10/21/97 C.S.Schwartz Rendon	Meeting with A. Protopapas regarding FBI interview; conference with G. Berman, et al., telephone conference with K. Bender regarding subpoenas; finalizing interview schedule.	3.4	799.00
10/22/97 C.S.Schwartz Rendon	Telephone conference from E. Mark regarding D. Pitts; telephone conference to B. Cobinha regarding same;	3.2	752.00

EBG 3675

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Molten Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

	review of document subpoenas; telephone conferences with G. Berman, K. Bender, R. Walker and J. Browne; telephone conference with E. Jacks and E. Mark.		
10/23/97 C.S.Schwartz Rendon	Review of documents from D. Becker; calls to G. Berman, C. Collete; draft retainer and conflict letters for new clients; review of Browne subpoena and follow-up phone call; telephone conferences with D. Schneider and counsel to V. Gatto.	6.2	1,457.00
10/24/97 C.S.Schwartz Rendon	Travel to Molten Metal; conference with J. Campbell, D. Reilly and M. Sullivan; conference call with G. Berman; meeting with C. Collette.	10.5	2,467.50
10/27/97 C.S.Schwartz Rendon	FBI interviews of T. Behrens, J. Maguigad, C. Collete and D. Reilly; meeting with T. Behrens; Telephone conference with E. Jacks, Dennis Sawyer (sp) and M. Guzman	11.3	2,655.50
10/28/97 C.S.Schwartz Rendon	Telephone conference with E. Jacks, J. Browne, C. Nagel and K. Rea; interview of E. Ghoniem and preparation	6.9	1,621.50

EBG 3676



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Molten Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

10/29/97	C.S.Schwartz Rendon	Travel to Molten Metal Technologies for meetings with B. Payea, M. Sullivan and K. Rea; meeting with I. Yates and FBI interview regarding same; telephone conference with E. Jacks, D. Schneider and G. Berman	10.2	2,397.00
10/30/97	C.S.Schwartz Rendon	Telephone conferences with E. Jacks, B. Codinha, K. Green, M. Lundrum, J. Coyle and others; FBI interviews of C. Nagel and S. Blanchard	10.0	2,350.00
10/31/97	C.S.Schwartz Rendon	Meeting with M. Thompson and prepare for interview; interviews with M. Thompson, A. Protopapas and J. Campbell; telephone conferences with D. Hoey, D. Schneider	5.5	1,292.50
11/06/97	C.S.Schwartz Rendon	Telephone conferences with D. Schneider and L. Ghoniem regarding update	.7	164.50
11/07/97	C.S.Schwartz Rendon	Telephone conferences to D. Schneider; telephone conference with M. Guzman; telephone conference with C. Nagel's secretary regarding subpoena; telephone	3.4	799.00

EBG 3677

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Motlen Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

	conferences with L. Ghoniem.		
11/10/97 C.S.Schwartz Rendon	Telephone conferences with E. Jacks, B. Froeberg, J. Browne, K. Santoro regarding FBI interviews; drafting letters to D. Schneider regarding employment dates; continued work on subpoena responses	5.3	1,245.50
11/11/97 C.S.Schwartz Rendon	Telephone conferences to K. Green, M. Sullivan, K. Rea and B. Froehberg regarding FBI interviews	1.3	305.50
11/12/97 C.S.Schwartz Rendon	Meeting with K. Green regarding preparation for M. Sullivan; meeting with M. Sullivan to prepare for FBI interview; FBI interview of M. Sullivan.	7.5	1,762.50
11/13/97 C.S.Schwartz Rendon	Meeting with K. Rea regarding preparation for FBI interview; FBI interview of K. Rea; telephone conference with E. Jacks.	6.5	1,527.50
11/14/97 M.R. Anderson	Prepare documents for production to FBI	.2	17.00
11/14/97 C.S.Schwartz Rendon	Telephone conference with E. Jacks regarding update; telephone conference with J. Balch regarding representation; telephone conference	4.2	987.00

EBG 3678

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Motlen Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

	with D. Schneider regarding same; preparation of documents for subpoena response.		
11/17/97 M.R. Anderson	Prepare documents for copying; T.T. copy centers re: status	.4	34.00
11/17/97 C.S.Schwartz Rendon	Telephone conference with Kathleen regarding C. Shaver's subpoena; finalizing documents for production; telephone conferences with D. Schneider, E. Jacks, D. Saylor, J. Andrews, B. Froehberg and G. Nicholas.	4.1	963.50
11/18/97 M.R. Anderson	Prepare documents for production	.7	59.50
11/18/97 C.S.Schwartz Rendon	Telephone conference from B. Froehberg regarding J. Browne and other issues; drafting letter to C. Shaver regarding subpoena; telephone conference with M. Thompson regarding subpoena.	1.1	258.50
11/19/97 C.S.Schwartz Rendon	Telephone conference from M. Thompson regarding subpoena; telephone conference from J. Balch regarding FBI interview; telephone conferences to E. Jacks, B. Froehberg and G. Nicholas; preparation	1.9	446.50

EBG 3679

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Motlen Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

	of third document package regarding grand jury subpoenas; telephone conference with K. Green.		
11/20/97 M.E. Basile	Meeting w/Carole Schwartz Rendon and Jean Balch to prepare Ms. Balch for her interview w/FBI; attend interview at FBI offices and take notes of interview	5.2	832.00
11/20/97 C.S.Schwartz Rendon	Meeting with J. Balch to prepare for FBI interview; FBI interview of J. Balch.	5.8	1,363.00
11/21/97 C.S.Schwartz Rendon	Telephone conference with J. Andrews regarding R. Walker; telephone conference to R. Walker regarding representation; drafting letters for J. Balch regarding representation; telephone conference to B. Froehberg regarding schedule.	.8	188.00
11/25/97 C.S.Schwartz Rendon	Telephone conferences with G. Berman and R. Walker; telephone conference with D. Schneider	.4	94.00
12/16/97 M.R. Anderson	Review documents; T.T. Copy Center re: billing	.1	8.50
Total Hours		137.4	

EBG 3680

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Motlen Metal Technologies, Inc

January 12, 1998  
\*DRAFT\* MEMO 104041

## General

Total For Services \$31,689.00

## Disbursements Made on Behalf of Client:

Local Transportation EPSTEIN BECKER & GREEN, P.C. 10/97 BOS P.CASH	40.00
Local Transportation LIMOUSINES INC. 21426	241.50
Telephone	57.75
Fax/Telex	33.00
Postage	1.19
Photocopies	33.60
Air Courier	28.00
Meals	14.70
Parking/Mileage/Tolls/Rental	86.00
Travel Expense - Taxis	383.00
Outside Photocopy	106.22
Outside Messenger Service	21.65

Disbursements Total \$1,046.61

## ATTORNEY SUMMARY

Attorney	Hours Worked	Billed Per Hour	Bill Amount
M.E. Basile	5.20	160.00	832.00
M.R. Anderson	1.40	85.00	119.00
C.S.Schwartz Rendon	130.80	235.00	30,738.00
=====	=====	=====	=====
Total all Attorneys	137.40	230.63	31,689.00

Total This Invoice \$32,735.61

EBG 3681

# EXHIBIT 'J'

1 committee?

2 A Only in the most general terms. I have not  
3 seen it or reviewed it since then. It's many  
4 years ago.

5 Q What do you recall generally about that  
6 statement?

7 A That Chris' focus was on how the Molten Metal  
8 bath itself works.

9 Q Was he getting into issues concerning the  
10 technology itself?

11 A In general terms, but geared towards the  
12 audience.

13 Q The audience being?

14 A Members of Congress.

15 Q Do you recall thinking back to the time of the  
16 events in question here 1997, 1998, do you  
17 recall what Ethan Jacks' position with MMT  
18 was?

19 A Yes, he was general counsel.

20 Q You didn't personally represent Mr. Jacks; is  
21 that correct?

22 A That's correct, I did not.

23 Q Do you recall conferring with Mr. Jacks on a  
24 regular basis?

25 A I did confer with Mr. Jacks as appropriate in

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(216) 696-2272

1 Q Do you recall any discussion with Ethan Jacks  
2 concerning the substance of testimony to be  
3 given by any of the MMT employees?

4 A In advance of the MMT employees being  
5 interviewed, no. He may or may not have been  
6 given a copy of the memorandum that was marked  
7 earlier in my deposition, I don't recall.

8 Q Are you referring to --

9 A I'm referring to Exhibit C. Yes, it's  
10 addressed to Ethan Jacks. He would have  
11 received that, yes.

12 Q Exhibit C is a draft.

13 A Exhibit F.

14 Q You do believe that you would have given that  
15 document to Mr. Jacks?

16 A Yes, I do believe I did.

17 Q Actually I do want to talk to you about the  
18 document. We will come back to that in a few  
19 moments. You know who Eugene Berman is?

20 A Yes.

21 Q Was Eugene Berman a client of yours?

22 A No, he was not.

23 Q Do you recall what -- how did you know Eugene  
24 Berman?

25 A He worked at Molten Metal Technology. Without

FINCUN-MANCINI -- THE COURT REPORTERS  
(216) 696-2272



1 looking at a document I can't recall his exact  
2 position.

3 Q Did you have any direct dealings with  
4 Mr. Berman?

5 A You mean conversations?

6 Q Yes.

7 A Yes, I did.

8 Q Do you recall how periodically you would speak  
9 with Mr. Berman?

10 A Off the top of my head, no. I did speak to  
11 him on occasion.

12 Q What were the nature of your discussions with  
13 Mr. Berman?

14 A To the best of my memory they would have been  
15 similar to the nature of my conversations with  
16 Mr. Jacks.

17 Q Again, do you recall if you had any  
18 discussions concerning strategic matters with  
19 Mr. Berman?

20 A Not that I recall. I don't recall  
21 conversations about planning any kind of  
22 strategy. The only thing that might fit into  
23 that category is a discussion in which  
24 Mr. Berman may have participated in connection  
25 with the Congressional hearing, sort of making

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1 Do you recall the basis for that statement?

2 MS. BAGGER: I'm going to object  
3 to the form of the question and its  
4 characterization.

5 A I do not recall specifically why I wrote that  
6 as I did, that the investigators began the  
7 process with the understanding that the  
8 technology does not work and that the PRDA was  
9 a colossal waste of money, other than it must  
10 have been something that I gleaned from the  
11 tone and/or content of their questions.

12 Q Do you recall whether or not -- strike that.

13 Do you recall the extent to which the  
14 questioning of the witnesses during the  
15 investigation did relate to issues concerning  
16 the technology and its operation?

17 A I recall that there were questions regarding  
18 the technology and its operation. I do not  
19 recall that being the focal point of the  
20 interviews.

21 Q What do you recall was the focal point?

22 A Principally issues associated with campaign  
23 finance contributions. Both in terms of  
24 individual contributions and events. There  
25 were a lot of questions about specific

FINCUN-MANCINI -- THE COURT REPORTERS  
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1 campaign events and appearances by candidates  
2 at various events. Questions regarding  
3 relationships between various individuals.  
4 You know, a list of do you know person A, do  
5 you know person B, do you know what kind of a  
6 relationship person A has with person B. Then  
7 questions regarding the PRDA and as I recall  
8 reissuance of the PRDA, and dollar figures  
9 associated with the PRDA.

10 Q You don't recall why they would have thought  
11 it was a colossal waste of money?

12 MS. BAGGER: Objection to the form  
13 of the question and its characterization.

14 A Must have been something I gleaned from the  
15 tone or content of some of their questions to  
16 some of my clients, no.

17 Q Do you recall there were specific questions  
18 concerning the technology?

19 A I do recall my clients talking, some of my  
20 clients, not all of them, talking about the  
21 technology in the course of the interviews.

22 Q Do you recall though that there were questions  
23 presented to your clients concerning the  
24 technology?

25 A Specifically how the issue came up, I don't

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1 recall sitting here so many years later.

2 Q You did testify that you do recall the name  
3 Earl McConchie?

4 A Yes.

5 Q Again, when did you first hear that name?

6 A If you show me my time sheets I might be able  
7 to tell you, because there is an entry in my  
8 time sheets reflecting the fact Chris Nagel  
9 called me regarding him, and I did review my  
10 time sheets in preparation for my deposition.

11 (Exhibit N  
12 Marked for identification.)

13 Q The court reporter just handed you what is  
14 marked as Exhibit M.

15 A I believe it's N, as in Nancy.

16 Q If you could please take a look at that.

17 A I have looked at it.

18 Q Is this the set of time records you referred  
19 to a moment ago, or was there another set?

20 MS. BAGGER: Objection,  
21 foundation.

22 A I don't know, but I do recollect the time  
23 entry I was referring to on April 20th.

24 Q Where does that appear?

25 A It appears on the fourth page of Exhibit N.

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# EXHIBIT 'K'

Page: 4

Motlen Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

	regarding interview schedule; telephone conference with G. Berman		
10/20/97 C.S.Schwartz Rendon	Telephone conference with M. Thompson regarding interview; numerous telephone conferences with other MMT employees and B. Froeborg regarding same.	3.2	752.00
10/21/97 C.S.Schwartz Rendon	Meeting with A. Protopapas regarding FBI interview; conference with G. Berman, et al., telephone conference with K. Bender regarding subpoenas; finalizing interview schedule.	3.4	799.00
10/22/97 C.S.Schwartz Rendon	Telephone conference from E. Mark regarding D. Pitts; telephone conference to B. Cobinha regarding same; review of document subpoenas; telephone conferences with G. Berman, K. Bender, R. Walker and J. Browne; telephone conference with E. Jacks and E. Mark.	3.2	752.00
10/23/97 C.S.Schwartz Rendon	Review of documents from D. Becker; calls to G. Berman, C. Collete; draft retainer	6.2	1,457.00

EBG 3744

Molten Metal Technologies, Inc  
400-2 Totten Pond Rd.  
Waltham, MA 02154

November 10, 1997  
\*DRAFT\* MEMO 95324

through 10/31/97:

30659/100  
General

08/05/97 C.S.Schwartz Rendon	Meeting w/Ethan Jacks, Gene Burman, Mike Kendall and Karen Green re: pending investigations.	3.5	822.50
08/06/97 C.S.Schwartz Rendon	Meeting w/numerous Molten Metal employees in preparation for FBI interviews.	13.5	3,172.50
08/07/97 C.S.Schwartz Rendon	Interviews at FBI w/various MMT employees.	13.5	3,172.50
08/08/97 C.S.Schwartz Rendon	Meetings at Molten Metal re: FBI interviews; telephone conference w/Joe Savage; meeting w/Mike Guzmán re: PRDA.	7.5	1,762.50
08/11/97 C.S.Schwartz Rendon	Tel. conference call w/Gene Burmann and others; tel. calls w/Kristy Rea and Marc Thompson.	2.0	470.00
08/12/97 C.S.Schwartz Rendon	Meeting at MMT w/Gene Burmann, Charles Shaver and Kristy Rea.	3.0	705.00
08/13/97 C.S.Schwartz Rendon	Travel to D.C. for FBI interviews re: Shaver and Payea.	11.5	2,702.50
08/15/97 C.S.Schwartz Rendon	Review of doc. from Joe Savage; drafting letters re: representation of ORMT employees, review of notes for interviews;	4.0	940.00

EBG 3741

Page: 2

Motlen Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

	tel. conference w/Mike Guzman.		
08/18/97 C.S.Schwartz Rendon	Preparation of letters re: representation issues; conversation w/Mike Guzman re: update; tel. calls to Karen Guen, Krutz Rea and Gine Bunan.	3.0	705.00
08/20/97 C.S.Schwartz Rendon	Meeting w/Kristy Rea; review of documents.	3.5	822.50
08/21/97 C.S.Schwartz Rendon	Tel. conference w/Gene Bunan, drafting memo re: summary of information recurred; tel. call to Karen Green.	2.0	470.00
08/25/97 C.S.Schwartz Rendon	Telephone conferences w/Karen Green, Gene Berman and various MMT Employees re: current developments; finalizing summary of witness interviews.	4.9	1,151.50
08/26/97 C.S.Schwartz Rendon	Tel. conference w/Kristy Rea; tel. call to Elton Jacks; tel. call from David Hoey.	.9	211.50
08/27/97 C.S.Schwartz Rendon	Review of documents regarding Campaign Contributions.	.5	117.50
08/28/97 C.S.Schwartz Rendon	Meeting w/Kristi Rea re: continued interview.	2.3	540.50
09/04/97 C.S.Schwartz Rendon	Drafting letters for Kristi Rea re: payment terms and conflict issues.	.2	47.00
09/10/97 C.S.Schwartz Rendon	Tel. conference w/Karen	.2	47.00

EBG 3742



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Molten Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

	Green re: Bill Hancy's interview.		
09/16/97	C.S.Schwartz RendonTravel to Molten Metal for meeting with Ethan Jacks re: recent developments.	3.2	752.00
10/10/97	C.S.Schwartz RendonTelephone conferences with E. Jacks, J. Maguidad, W. Corpening (FBI); meeting with J. Maguidad; telephone conferences with K. Rea and M. Thompson	3.6	846.00
10/14/97	C.S.Schwartz RendonTelephone conference with B. Froeberg, DOE regarding interview schedule; drafting letters for Josefina Maguidad regarding representation; conference call with G. Berman; telephone conference with K. Rea; telephone conference with C. Nagel.	2.4	564.00
10/15/97	C.S.Schwartz RendonTravel to Molten Metal for meeting with C. Nagel and G. Berman; telephone conferenc ewith K. Green; telephone conference with K. Bender regarding interview schedule.	4.2	987.00
10/16/97	C.S.Schwartz RendonTelephone conferences with B. Froeberg, G. Berman and M. Guzman	1.1	258.50
10/17/97	C.S.Schwartz RendonTelephone conference with B. Froeberg	.2	47.00

EBG 3743

Page: 4

Mottlen Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

	regarding interview schedule; telephone conference with G. Berman		
10/20/97 C.S.Schwartz Rendon	Telephone conference with M. Thompson regarding interview; numerous telephone conferences with other HMT employees and B. Froeberg regarding same.	3.2	752.00
10/21/97 C.S.Schwartz Rendon	Meeting with A. Protopapas regarding FBI interview; conference with G. Berman, et al., telephone conference with K. Bender regarding subpoenas; finalizing interview schedule.	3.4	799.00
10/22/97 C.S.Schwartz Rendon	Telephone conference from E. Mark regarding D. Pitts; telephone conference to B. Cobinha regarding same; review of document subpoenas; telephone conferences with G. Berman, K. Bender, R. Walker and J. Browne; telephone conference with E. Jacks and E. Mark.	3.2	752.00
10/23/97 C.S.Schwartz Rendon	Review of documents from D. Becker; calls to G. Berman, C. Collete; draft retainer	6.2	1,457.00

EBG 3744

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Molten Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

	and conflict letters for new clients; review of Browne subpoena and follow-up phone call; telephone conferences with D. Schneider and counsel to V. Gatto.		
10/27/97 C.S.Schwartz Rendon	FBI interviews of T. Behrens, J. Maguigad, C. Collete and D. Reilly; meeting with T. Behrens; Telephone conference with E. Jacks, Dennis Sawyer (sp) and M. Guzman	11.3	2,655.50
10/28/97 C.S.Schwartz Rendon	Telephone conference with E. Jacks, J. Browne, C. Nagel and K. Rea; interview of E. Ghonem and preparation of E. Ghonem.	6.9	1,621.50
10/29/97 C.S.Schwartz Rendon	Travel to Molten Metal Technologies for meetings with B. Payea, M. Sullivan and K. Rea; meeting with I. Yates and FBI interview regarding same; telephone conference with E. Jacks, D. Schneider and G. Berman	10.2	2,397.00
10/30/97 C.S.Schwartz Rendon	Telephone conferences with E. Jacks, B. Cordinha, K. Green, M. Lundrum, J. Coyle and others; FBI interviews of C. Nagel and S. Blanchard	10.0	2,350.00
10/31/97 C.S.Schwartz Rendon	Meeting with M.	5.5	1,292.50

EBG 3745

Page: 6

Motlen Metal Technologies, Inc

November 10, 1997  
\*DRAFT\* MEMO 95324

## General

Thompson and prepare  
for interview;  
interviews with M.  
Thompson, A. Protopapas  
and J. Campbell;  
telephone conferences  
with D. Hoey, D.  
Schneider

Total Hours 150.6

Total For Services \$35,391.00

## Disbursements Made on Behalf of Client:

Local Transportation EPSTEIN BECKER & GREEN, P.C. 10/97 BOS P.CASH	40.00
Telephone	37.58
Photocopies	27.80
Outside Messenger Service	21.65

Disbursements Total \$127.03

## ATTORNEY SUMMARY

Attorney	Hours Worked	Billed Per Hour	Bill Amount
C.S.Schwartz Rendon	150.60	235.00	35,391.00
Total all Attorneys	150.60	235.00	35,391.00

Total This Invoice \$35,518.03

EBG 3746

# EXHIBIT 'L'

**INVESTING**

NAME:

EPSTEIN BECKER & GRE

**VENDOR**  
**NO.:**

NO. 5

4718

8/1 06 FEB-98 SERVICES RENDERED THRU 1/31/98

**DISCOUNT AMOUNT****NET AMOUNT**

0.00

4,059.91

The image is a high-contrast, black-and-white scan of a document, likely a check or a form, characterized by a dense, repeating pattern of small, stylized characters or symbols. This pattern, which resembles a woven texture, covers the entire page but is most prominent in the lower half. In the upper half, there is a header section with three distinct fields: 'CHECK DATE', 'CHECK NUMBER', and 'CHECK AMOUNT'. The text in these fields is partially obscured by the pattern and appears as dark, indistinct shapes. Above these fields, there is a line of text that seems to read 'MOBILE METAL' and 'FIVE MOBILE METAL'. The overall appearance is heavily degraded and noisy, with a grainy texture throughout.

40785

7627

**GOLD - REQUISITIONER**

---

**EPSTEIN BECKER & GREEN, P.C.**

---

75 State Street  
Boston, Massachusetts 02109  
Central Switchboard No.: (617) 342-4000  
Facsimile Telephone: (617) 342-4001

**Facsimile Cover Sheet**

Our File No.

Addressee (Firm): Molten Metal Technology, Inc.

For the Attention of: Ethan Jacks, Esq.

Addressee Facsimile Telephone No. 781-487-7658

Addressee Telephone Telephone No.

From: Carole Schwartz Rendon, Esq.

Date: February 9, 1998

No. of Pages: 6 including cover sheet

RE:

IF YOU DO NOT RECEIVE ALL THE PAGES, OR THEY ARE NOT LEGIBLE,  
PLEASE CALL AS SOON AS POSSIBLE AT: (617) 342-4000  
ASK FOR FACSIMILE OPERATOR

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL, AND IS INTENDED ONLY FOR THE USE OF THE NAMED ADDRESSEE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED ADDRESSEE, OR THE PERSON RESPONSIBLE TO DELIVER IT TO THE NAMED ADDRESSEE, YOU ARE HEREBY NOTIFIED THAT ANY USE OF THIS FACSIMILE OR ITS CONTENTS, INCLUDING DISSEMINATION OR COPYING, IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY EPSTEIN BECKER & GREEN BY TELEPHONE AT (617) 342-4000, AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS, VIA MAIL. WE WILL REIMBURSE YOUR TELEPHONE AND POSTAGE EXPENSE FOR DOING SO. THANK YOU.

**MESSAGE:**



EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

75 STATE STREET

BOSTON, MASSACHUSETTS 02109

TELEPHONE: (617) 342-4000

FAX: (617) 342-4001

880 PARK AVENUE  
NEW YORK, NEW YORK 10177-0077  
(212) 351-4800

1227 28TH STREET, N.W.  
WASHINGTON, D.C. 20037-1186  
(202) 881-0800

1875 CENTURY PARK EAST  
LOS ANGELES, CALIFORNIA 90067-2601  
(213) 680-8881

615 LANDMARK SQUARE  
STAMFORD, CONNECTICUT 06901-2704  
(203) 346-3737

ONE RIVERFRONT PLAZA  
NEWARK, NEW JERSEY 07102  
(201) 842-1900

TWO EMBARCADERO CENTER  
SAN FRANCISCO, CALIFORNIA 94111-8884  
(415) 398-3200

12780 MERIT DRIVE  
DALLAS, TEXAS 75251-1209  
(972) 490-3143

2400 SOUTH DIXIE HIGHWAY, SUITE 100  
MIAMI, FLORIDA 33133-3141  
(305) 858-1100

510 KING STREET, SUITE 301  
ALEXANDRIA, VIRGINIA 22314-3132  
(703) 684-1204

P.C. NEW YORK, WASHINGTON, D.C.  
CONNECTICUT, VIRGINIA, NEW JERSEY  
MASSACHUSETTS AND TEXAS ONLY

February 6, 1998

BY FACSIMILE AND FIRST CLASS MAIL

Gene Berman, Esq.  
Molten Metal Technology, Inc.  
400-2 Totten Pond Road  
Waltham, MA 02154

Re: Representation of Molten Metal Employees

Dear Gene:

Pursuant to your voice mail message yesterday, enclosed herein please find an invoice reflecting the work I have done to date for Rhonda Walker in the connection with the Department of Energy and FBI's investigation of Molten Metal Technology. I also have enclosed a bill for the limited amount of work I have done very recently for Chris Nagel in connection with his upcoming testimony before Congress.

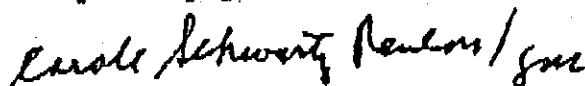
You should note that, by prior agreement with Ms. Walker as a result of her personal financial situation, she was billed at a 50% discount. As a result of the fact that our computer only produces bills at my standard rate, the attached invoice reflects only half of the time I actually spent on each of the items indicated. If Molten Metal Technology is willing to reimburse me at my normal rate of \$240/hour for the work I did for Ms. Walker, the total invoice would be \$6,939.91, including disbursements. Having agreed to a substantially reduced rate for Ms. Walker, I did not feel that I could charge MMT a different rate for that work without your prior consent. As you may well imagine, however, your ability to reimburse me at my full rate for the work I did for Ms. Walker would help alleviate some of the

Gene Berman, Esq.  
February 6, 1998  
Page 2

difficulty I experienced as a result of our unfortunate billing situation last November and December.

Finally, as we discussed, it would be extremely helpful if these two invoices could be paid prior to my trip to Washington D.C. next week in connection with my representation of Chris Nagel. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Carole Schwartz Rendon/gmr".

Carole Schwartz Rendon

Enclosures

cc: Ethan Jacks, Esq.

## EPSTEIN BECKER &amp; GREEN, P.C.

ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109

(617) 542-4000  
FACSIMILE (617) 342-4001

February 6, 1998

Molten Metal Technology, Inc.  
400-2 Totten Pond Road  
Waltham, MA 02154

FOR PROFESSIONAL SERVICES RENDERED

Re: Chris Nagel

FOR PROFESSIONAL SERVICES RENDERED to Chris Nagel through and including February 5, 1998.

1/28/98	C. S. Rendon	Conference call with Gene Berman, Ethan Jacks, and counsel for various MMT employees re: upcoming congressional hearings and recent grand jury appearances	1.5	360.00
2/4/98	C. S. Rendon	Telephone conference with Karen Green re: campaign contribution information and memoranda, review of materials sent by Karen Green.	.4	96.00
2/5/98	C. S. Rendon	Telephone conference with Chris Nagel re: developments and scheduling issues	.2	48.00

Attorney Summary:

<u>Attorney</u>	<u>Hours Worked</u>	<u>Billed Per Hour</u>	<u>Bill Amount</u>
C.S. Rendon	2.1	240.00	504.00

TOTAL THIS INVOICE:\$504.00

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
78 STATE STREET  
BOSTON, MASSACHUSETTS 02109

TELEPHONE: (617) 342-4000  
FACSIMILE: (617) 342-4001

February 6, 1998

Molten Metal Technology, Inc.  
400-2 Totten Pond Road  
Waltham, MA 02154

FOR PROFESSIONAL SERVICES RENDERED

Client/Matter No. 30668/1

Rhonda Walker

FOR PROFESSIONAL SERVICES RENDERED to Rhonda Walker through and including January 31, 1998.

1/6/98	C.S. Rendon	Meeting in Knoxville with Rhonda Walker in preparation for FBI interview; travel back to Boston from Knoxville	6.7	1,574.50
1/12/98	C.S. Rendon	Drafting letter to Rhonda Walker regarding grand jury subpoena	.1	23.50
1/22/98	C.S. Rendon	Telephone conference with Rhonda Walker regarding trip to D.C. on 1/23/98	.1	23.50
1/23/98	C.S. Rendon	Travel to Washington for meeting with Task Force prosecutor; Rhonda Walker's testimony before grand jury	7.5	1,762.50

Total Hours: 14.4

Total For Services: \$3,384.00

Disbursements Made on Behalf of Client:

Meals:	37.83
Travel Expense - Lodging:	134.08
Disbursements Total:	\$171.91

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK

Attorney Summary:

<u>Attorney</u>	<u>Hours Worked</u>	<u>Billed Per Hour</u>	<u>Bill Amount</u>
C.S. Rendon	14.40	235.00	3,384.00

TOTAL THIS INVOICE:

\$3,555.91

# EXHIBIT 'M'

INVOICE NO		INVOICE DATE	DESCRIPTION	DISCOUNT AMOUNT	NET AMOUNT
1250	13	APR-98	BILL PD 2/5-3/31/98: DOE INVEST	0.00	2,375.71
1251	13	APR-98	BILL PD 2/27-3/31/98: DOE INVES	0.00	3,454.50
1348	15	APR-98	TRAVEL EXPENSES	0.00	282.30
				0.00	6,112.51

**MOLTEN METAL TECHNOLOGY, INC. D.I.P.**  
 75 STATE STREET  
 BOSTON, MA 02109

POSTED MAY 20 1998

CHECK DATE	CHECK NUMBER	CHECK AMOUNT
20 MAY 98	2428	6112.51

Six thousand One Hundred Twelve Dollars And 51 Cents\*\*\*\*\*

TO THE ORDER OF EPSTEIN BECKER & GREEN, P.C.  
 75 STATE STREET  
 BOSTON, MA 02109

AUTHORIZED SIGNATURE  
 CHECKS OVER \$1000 REQUIRE DUAL SIGNATURES

⑈042128⑈ ⑆011001331⑆ 110 0937836⑈

MOLTEN METAL TECHNOLOGY, INC. D.I.P. 42128

7626

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

75 STATE STREET

BOSTON, MASSACHUSETTS 02109

(617) 342-4000

FAX: (617) 342-4001

250 PARK AVENUE  
NEW YORK, NEW YORK 10177-0077  
(212) 351-4500

1227 25TH STREET, N.W.  
WASHINGTON, D.C. 20037-1156  
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MIAMI, FLORIDA 33133-3141  
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(703) 684-1204

P.C. NEW YORK, WASHINGTON, D.C.  
CONNECTICUT, VIRGINIA, NEW JERSEY  
MASSACHUSETTS AND TEXAS ONLY

April 20, 1998

BY OVERNIGHT MAIL

Gene Berman  
Molten Metal Technology  
421 Currant Road  
Fall River, MA 02720

Re: Campaign Finance Task Force Investigation

Dear Gene:

Enclosed herein, please find three separate bills, which include charges for my time as well as disbursements through the end of March, 1998. As I indicated in my prior voice mail message, to enable us to better track the time expenditures, I have divided my current Molten Metal Technology clients into three separate matters: Chris Nagel, Rhonda Walker, and William Boland, et al. As you will note, the total of the three bills through the end of March, 1998, including disbursements, is \$6,112.51.

I appreciate your continued prompt attention to these matters. Please do not hesitate to contact me if you have any questions or concerns regarding the enclosed bills.

Very truly yours,

*Carole Schwartz Rendon*

Carole Schwartz Rendon

OK. / SEE INDIVIDUAL INVOICES  
TW PBT



cc: Ethan Jacks, Esq. (w/enclosure)  
William Boland, Jr. (w/enclosure)

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109

(617) 342-4000  
FACSIMILE: (617) 342-4001

William Boland, Jr.  
180 Commonwealth Avenue, Unit 19  
Boston, MA 02116

April 13, 1998  
Invoice # 231251

FOR PROFESSIONAL SERVICES RENDERED through 03/31/98:

30729/1

DOE/FBI Investigation

02/27/98 C.S.Schwartz Rendon	Telephone conferences with J. Grabmeier regarding FBI interview; telephone conference with G. Berman regarding same	.8	188.00
03/02/98 C.S.Schwartz Rendon	Telephone conference with G. Berman regarding J. Grabmeier; telephone conference with D. Schneider regarding same	.6	141.00
03/03/98 C.S.Schwartz Rendon	Telephone conference with W. Boland and G. Berman regarding FBI interview; follow-up calls to W. Boland and G. Berman	1.2	282.00
03/04/98 C.S.Schwartz Rendon	Telephone conference with D. Schneider regarding Boland grand jury subpoena; telephone conference with W. Boland regarding same	.2	47.00
03/05/98 C.S.Schwartz Rendon	Telephone conference with W. Boland regarding grand jury subpoena; telephone conference with E. Jacks regarding grand jury and shareholder litigation; telephone conference with S. Willet regarding	.5	117.50

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK  
REMITTANCE COPY

## EPSTEIN BECKER &amp; GREEN, P.C.

ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109

Page: 2

(617) 342-4000  
FACSIMILE: (617) 342-4001

William Boland, Jr.

April 13, 1998

---

FOR PROFESSIONAL SERVICES RENDERED  
DOE/FBI Investigation

03/12/98 C.S.Schwartz Rendon	shareholder litigation Telephone conferences With J. Grabmeier and W. Boland regarding FBI interviews; telephone conference with FBI Special Agent Ruppert regarding same.	.3	70.50
03/13/98 C.S.Schwartz Rendon	Telephone conference with W. Boland regarding FBI interview; telephone conference with S. Hansen regarding update for securities litigation; telephone conference with G. Ruppert, FBI; follow-up calls regarding schedule	.8	188.00
03/17/98 C.S.Schwartz Rendon	Preparation for FBI interview and FBI interview of W. Boland	4.3	1,010.50
03/18/98 C.S.Schwartz Rendon	Telephone conference with G. Berman regarding update of W. Boland's telephone interview	.2	47.00
03/19/98 C.S.Schwartz Rendon	Telephone conference with G. Berman regarding new document subpoena and R. Bach; telephone conference with R. Bach regarding developments and strategy; telephone conference with G. Ruppert,	1.7	399.50
03/20/98 C.S.Schwartz Rendon	Telephone conference	.9	211.50

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ATTORNEYS AT LAW  
 75 STATE STREET  
 BOSTON, MASSACHUSETTS 02109

Page: 3

(617) 342-4000  
 FACSIMILE: (617) 342-4001

William Boland, Jr.

April 13, 1998

FOR PROFESSIONAL SERVICES RENDERED  
 DOE/FBI Investigation

	with G. Ruppert - FBI regarding scheduling; telephone conference with R. Bach regarding developments; telephone conference with D. Schneider regarding same; telephone conference with G. Berman regarding updates		
03/26/98 C.S.Schwartz Rendon	Telephone conference with R. Goldman regarding K. O'Reilly; telephone conference with K. O'Reilly regarding representation	.2	47.00
03/27/98 C.S.Schwartz Rendon	Conference call with G. Berman, E. Jacks, R. Goldman, et al, regarding developments; telephone conference with K. O'Reilly regarding FBI interview request	2.4	564.00
03/30/98 C.S.Schwartz Rendon	Telephone conference with D. Schneider and K. Givens (FBI) regarding K. O'Reilly	.3	70.50
03/31/98 C.S.Schwartz Rendon	Telephone conference with K. O'Reilly regarding telephone interview; telephone conference with K. Givens (FBI) regarding same	.3	70.50

Total Hours 14.7

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK  
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ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109  
Page: 4  
(617) 342-4000  
FACSIMILE: (617) 342-4001

William Boland, Jr.

April 13, 1998

FOR PROFESSIONAL SERVICES RENDERED  
DOE/FBI Investigation

Total For Services \$3,454.50

ATTORNEY SUMMARY

Attorney	Hours Worked	Billed Per Hour	Bill Amount
C.S. Schwartz Rendon	14.70	235.00	3,454.50
Total all Attorneys	14.70	235.00	3,454.50

Total This Invoice

\$3,454.50

O.K. TO PAY

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK  
REMITTANCE COPY

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109

(617) 342-4000  
FACSIMILE: (617) 342-4001

Christopher Nagel  
c/o Molten Metal Technology, Inc.  
421 Currant Road  
Fall River, MA 02720

April 15, 1998  
Invoice No. 231348

---

FOR PROFESSIONAL SERVICES RENDERED

**FOR PROFESSIONAL SERVICES RENDERED**

**Disbursements Made on Behalf of Client:**

Local Transportation (Limousines, Inc.);  
Travel Expense (Air/RR Fares)

\$282.30

**TOTAL AMOUNT DUE:**

\$282.30

O.K. To Pay

AB

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
 75 STATE STREET  
 BOSTON, MASSACHUSETTS 02109

(617) 342-4000  
 FACSIMILE: (617) 342-4001

Rhonda Walker  
 12321 River Oak Point  
 Knoxville, TN 37922

April 13, 1998  
 Invoice # 231250

FOR PROFESSIONAL SERVICES RENDERED through 03/31/98:

30688/1

DOE/FBI Investigation

02/05/98 C.S.Schwartz Rendon	Telephone conference with D. Schneider regarding document request; telephone conference with R. Walker regarding same.	.2	47.00
02/10/98 C.S.Schwartz Rendon	Telephone conference with D. Schneider regarding attorney proffer and documents; telephone conference with R. Walker regarding same	.2	47.00
02/13/98 C.S.Schwartz Rendon	Telephone conference with R. Walker regarding status update, attorney proffer and recent developments	.5	117.50
02/18/98 C.S.Schwartz Rendon	Drafting letter to R. Walker regarding witness reimbursement form; brief telephone conference with M. Touhey regarding grand jury	.2	47.00
02/19/98 C.S.Schwartz Rendon	Telephone conference with D. Laller regarding grand jury	.1	23.50
02/20/98 C.S.Schwartz Rendon	Telephone conference with D. Laller regarding grand jury appearance of V. Gatto; telephone conference with R. Walker	.5	117.50

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
 75 STATE STREET  
 BOSTON, MASSACHUSETTS 02109

Page: 2

(617) 342-4000  
 FACSIMILE: (617) 342-4001

Rhonda Walker

April 13, 1998

---

FOR PROFESSIONAL SERVICES RENDERED  
 DOE/FBI Investigation

03/16/98 C.S.Schwartz Rendon	regarding same Review of letter from D. Schneider regarding attorney proffer; tel. conference w/D. Schneider re: same.	.3	70.50
03/17/98 C.S.Schwartz Rendon	Drafting letter to R. Walker regarding attorney proffer, further information and document subpoena	.4	94.00
03/19/98 C.S.Schwartz Rendon	Telephone conference with R. Walker regarding developments and grand jury	.7	164.50
03/20/98 C.S.Schwartz Rendon	Initial drafting of attorney proffer letter; telephone conference with D. Schneider regarding same	.6	141.00
03/23/98 C.S.Schwartz Rendon	Telephone conference with R. Walker regarding developments; continued drafting of attorney proffer letter; telephone conference with E. Jacks regarding developments and non-disclosure waiver; editing letter; telephone conference with J. Andrews; telephone conference with M. Tuohey	2.8	658.00
03/26/98 C.S.Schwartz Rendon	Review of correspondence from E. Jacks; drafting letter to E. Jacks in response; review of	1.2	282.00

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK



**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
 75 STATE STREET  
 BOSTON, MASSACHUSETTS 02109  
 (617) 342-4000  
 FACSIMILE: (617) 342-4001

Page: 3

Rhonda Walker

April 13, 1998

FOR PROFESSIONAL SERVICES RENDERED  
 DOE/FBI Investigation

	documents provided by R. Walker regarding grand jury subpoena; telephone conference with R. Walker regarding same		
03/27/98 C.S.Schwartz Rendon	Telephone conference with E. Jacks regarding authorization letter; drafting reply letter to E. Jacks regarding same; telephone conference with R. Walker regarding documents, internet issues, etc.	1.3	305.50
03/30/98 C.S.Schwartz Rendon	Telephone conference with E. Jacks regarding R. Walker's settlement agreement	.2	47.00

Total Hours 9.2

Total For Services \$2,162.00

## Disbursements Made on Behalf of Client:

Local Transportation LIMOUSINES INC.	101.80
Telephone	22.69
Fax/Telex	27.00
Meals	16.22
Travel Expense - Taxis	46.00

Disbursements Total \$213.71

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK

**EPSTEIN BECKER & GREEN, P.C.**

ATTORNEYS AT LAW  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109  
Page: 4  
(617) 342-4000  
FACSIMILE: (617) 342-4001

Rhonda Walker

April 13, 1998

FOR PROFESSIONAL SERVICES RENDERED  
DOE/FBI Investigation

ATTORNEY SUMMARY

Attorney	Hours Worked	Billed Per Hour	Bill Amount
C.S. Schwartz Rendon	9.20	235.00	2,162.00
Total all Attorneys	9.20	235.00	2,162.00

Total This Invoice

\$2,375.71

O.K. TO PAY

UB

PLEASE INCLUDE OUR REFERENCE NUMBER ON YOUR CHECK





MANAGER

# EXHIBIT 'N'

1 Q. And what did your review of the bills tell  
2 you Epstein Becker did?

3 A. That Epstein Becker was communicating with  
4 certain employees of the debtor and the debtor  
5 regarding various matters that were purported to be  
6 in connection with various investigations.

7 Q. And do you have any information about  
8 whose interests Epstein, Becker & Green was  
9 representing in those investigations?

10 A. I believe the debtor's interests.

11 Q. And upon what do you base that conclusion?

12 A. Because at that point in time my  
13 understanding from review of other records in the  
14 case that the investigation at that time was  
15 focusing in on what we call the invoice issue and  
16 the Q2 and Q3 1996 misstated earnings, and that at  
17 least one of the key employees who in files we found  
18 stated that she had the smoking gun regarding the  
19 invoice issue was one of the persons listed on the  
20 time records.

21 Q. What's that person's name?

22 A. Rhonda Walker, and was the same person  
23 who, if I remember correctly, was being currently  
24 investigated by the Trustee with regard to the

1 information that she had -- when I mean currently,  
2 at the time I made this conclusion and learned about  
3 this. And I believe I had seen a document from  
4 Rhonda Walker's attorney stating that as part of the  
5 settlement agreement with Molten Metal in her,  
6 quote, severance or leaving she was required to  
7 retain Carole Schwartz Rendon and Epstein, Becker &  
8 Green and, if I remember correctly, that lawyer's  
9 letter raised an issue in connection with that  
10 representation as being a conflict.

11 Q. Did you take a copy of that letter?

12 A. I don't know if I took a copy of that  
13 letter.

14 Q. Where would that letter --

15 MR. SUTTON: That letter is in the  
16 documents.

17 MS. BAGGER: I think it might make  
18 sense, we might just need to bring the whole ATG,  
19 that whole folder that that document came out of.  
20 We can go off the record.

21 (Discussion off the record.)

22 Q. Before we broke, Mr. Braunstein, I should  
23 say during our break I noticed that you were taking  
24 the opportunity to read Exhibit 5. Who does Exhibit



# EXHIBIT 'O'

A. James Andrews  
Marilyn L. Hudson

606 West Main Street  
Suite 202  
Knoxville, TN 37902

Tel. 423-525-4200  
FAX 423-525-8445

**ANDREWS + HUDSON, P.C.**  
ATTORNEYS AT LAW

November 10, 1997

VIA FACSIMILE & U.S. MAIL  
Carole Schwartz Rendon  
Epstein Becker & Green, P.C.  
75 State Street  
Boston, MA. 02109

RECEIVED  
NOV 17 1997

Re: Representation of Ms. Rhonda Walker during the investigation of Molten Metal Technology

Dear Carole:

When we spoke on October 23, 1997, I told you that Ms. Walker would only be willing to consent to your firm jointly representing her and other Molten Metal Technology (MMT) employees if her Title VII matter with MMT had been resolved. I confirmed that conversation with Ron Daves, Molten Metal's local attorney for the Title VII matter.

To date the Title VII matter has not been resolved and accordingly Ms. Walker does not consent and has not consented to joint representation. At this time she is represented in all pending matters by this firm.

I regret any inconvenience this may have caused you. When and if the Title VII matter is resolved, Ms. Walker will be happy to revisit the issue of her legal representation.

Feel free to call if you have any questions.

With kindest personal regards,

  
A. James Andrews

CC: Ron Daves, Esq.  
Rhonda Walker

8084

# EXHIBIT 'P'

1 specifically Carole Schwartz Rendon, were communicating  
2 directly with lawyers from Latham and Watkins  
3 concerning the investigations?

4 A. I have no knowledge.

5 ATTY. BAGGER: Objection. Foundation.

6 THE WITNESS: I have no knowledge of that.

7 ATTY. FLEISCHER: Let's mark this.

8 (Exhibit 4, 8/25/97 MEMO FROM CAROLE SCHWARTZ  
9 RENDON, marked for identification.)  
10

11 Q. Okay. Mr. Berman, you've just been handed what's  
12 been marked as Exhibit 4, and if you could just take a  
13 look at this document, please?

14 A. Okay.

15 Q. Do you have any recollection of having ever seen  
16 this document before?

17 A. I don't have a specific recollection of seeing  
18 this document, no.

19 Q. Do you have a general recollection of the matters  
20 that are addressed in this memorandum?

21 A. Let me be clear on how I'm answering this. Yes,  
22 the matters in here I'm certainly, as I previously  
23 testified, that there were issues of campaign  
24 contributions, it pertained to the PRDA, which was one

1 of the DOE contracts.

2 Q. Do you recall what PRDA stands for?

3 A. Planned Research Development Agreement or Program.

4 I'm not absolutely certain.

5 Q. But you have no specific recollection of the  
6 document itself?

7 A. I do not.

8 Q. Do you have any specific recollection of  
9 discussing the matters raised in this memorandum with  
10 Carole Schwartz Rendon?

11 A. I have no recollection of discussing these matters  
12 with Ms. Rendon.

13 Q. And do you recall whether or not you had any hand  
14 in drafting this document?

15 A. It purports to be from Ms. Rendon and I appear to  
16 be a recipient of it. To answer your question, no. I  
17 have no recollection of me having a hand in drafting  
18 this, no.

19 Q. Do you recall if you have ever seen it in draft  
20 form?

21 A. I don't have a recollection of it.

22 Q. Can you turn to Page 6 of this document, Exhibit  
23 4?

24 A. Yes.

1 Q. And there is a section there that's titled, V, in  
2 Roman Numerals, "Concerns"?

3 A. Yes.

4 Q. I would ask you if you could read that section  
5 just a little closely to yourself and that runs onto  
6 Page 7, through Points 1, 2, 3, 4 and 5. Just let me  
7 know when you've read those.

8 A. Okay.

9 Q. And now, turning back to Page 7, we'll go to the  
10 first numbered point.

11 A. Yes.

12 Q. Do you know who Clyde Frank was?

13 A. I have a general recollection that he was an  
14 employee of the Department of Energy.

15 Q. Now, Mr. Gatto, how do you pronounce his name?

16 A. That's correct, Gatto.

17 Q. Do you recall who represented Mr. Gatto in  
18 connection with the investigations?

19 A. Mr. Touhey.

20 Q. He was not represented by Epstein, Becker and  
21 Green?

22 A. Not to my knowledge, no.

23 Q. Do you recall having any discussions with  
24 Ms. Rendon concerning the substance of Point 1?

1 A. I do not.

2 Q. Do you recall having any discussions with any of  
3 the other officers or directors, employees of MMT  
4 concerning the substance of the matters raised in Point  
5 1?

6 A. I do not.

7 Q. Do you understand how the matter or the substance  
8 of the matter raised in Point 1 would have affected  
9 other individual employees of MMT?

10 ATTY. BAGGER: Objection to the form of the  
11 question.

12 THE WITNESS: I do not.

13 Q. With respect to Point 2, do you recall having any  
14 discussion with Ms. Rendon concerning the substance of  
15 Point 2?

16 A. I do not.

17 Q. Do you recall having any discussions with any  
18 other officers or directors or employees of MMT  
19 concerning the substance of the matter addressed in  
20 point 2?

21 A. I do not.

22 Q. And do you have any understanding of how the  
23 substance of the -- strike that.

24 Do you understand how the issue raised in Point 2

1 would directly affect clients of Ms. Rendon --

2 ATTY. BAGGER: Objection.

3 Q. -- in the investigation?

4 ATTY. BAGGER: Objection. Foundation.

5 THE WITNESS: I do not.

6 Q. Point 3, do you recall discussing the substance of  
7 Point 3 with Ms. Rendon?

8 A. I do not.

9 Q. Do you recall discussing the substance of Point 3  
10 with any other officers, directors or employees of MMT  
11 with Ms. Rendon -- strike that question.

12 Do you recall discussing the substance of the  
13 matter raised in Point 3 with any other officers or  
14 directors or employees of MMT?

15 A. I don't have any specific recollection of that.  
16 Although, I do recall generally that discussions were  
17 had about what the campaign contribution laws were and  
18 what we needed to do to make sure we were legal in what  
19 we did.

20 Q. Do you recall who you might have had those  
21 discussions with?

22 A. No.

23 Q. Could it have been with Ms. Rendon?

24 A. No. I thought your question was MMT employees.



1 Q. I'm asking a different question now.

2 ATTY. BAGGER: To which I object to. Asked and  
3 answered.

4 Q. Do you have any understanding how the issue raised  
5 in Point 3 would have directly affected Ms. Rendon's  
6 clients in the investigation?

7 ATTY. BAGGER: Objection. Foundation.

8 THE WITNESS: I do not.

9 Q. Point 4, please. Do you recall having any --  
10 strike that.

11 Do you recall having any discussions with  
12 Ms. Rendon concerning the issue raised in Point 4?

13 A. I do not.

14 Q. Do you recall having any discussions with any  
15 other officers or directors or employees of MMT  
16 concerning the issue raised in Point 4?

17 A. Other than repeating what I said before,  
18 contributions, whether they be cash or in kind, we were  
19 sensitive and I would recall general discussions of  
20 that issue for compliance reasons, but I don't recall  
21 any specific conversations or with whom I might have  
22 had that conversation within MMT.

23 Q. Say that again.

24 A. With MMT employees. I have no such recollection

1 of any such conversations with Ms. Rendon. I'm  
2 answering that with regard to what I thought your  
3 question was with regard to MMT employees.

4 Q. Do you recall the specific MMT employees?

5 A. I do not.

6 Q. Do you have any understanding of how the issue  
7 raised in Point 4 would have any effect on Ms. Rendon's  
8 clients in the investigation?

9 A. I do not.

10 Q. And, lastly, I'm going to ask the same series of  
11 questions with respect to Point 5.

12 A. Certainly.

13 Q. Do you recall having any discussions with  
14 Ms. Rendon concerning the issues raised in Point 5?

15 A. I do not.

16 Q. Do you recall having any discussions with other  
17 officers, directors or employees of MMT -- I'm sorry.  
18 Strike that.

19 ATTY. BAGGER: You keep saying other employees and  
20 officers of MMT after asking about Ms. Rendon who is  
21 not an officer or employee of MMT.

22 ATTY. FLEISCHER: I struck the question and for  
23 that reason.

24 ATTY. BAGGER: Okay.

# EXHIBIT 'Q'

FROM LATHAM &amp; WATKINS WASH DC #

(THU) 10.23'97 10:47/8 10:44/NO. 4261478035 P 1

## LATHAM &amp; WATKINS

ATTORNEYS AT LAW  
1001 PENNSYLVANIA AVE., N.W.SUITE 1300  
WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 637-2200

FAX (202) 637-2201

10/23/97 10:47

6062/2  
FILE

## FACSIMILE TRANSMISSION

DATE: October 23, 1997

To:

Name	Fax No.	Phone No.
Eugene Berman Molten Metal Technology	617 768 6548	617 487-7626
John Coyle Duncan & Allen	202 289 8450	202 289 8400
Mark Tuohey, Bill Lawler, Craig Margolis Vinson & Elkins	202 639 6604	202 639 6660
Karen Green Hale & Dorr	617 526 5000	617 526 6000
Carole Schwartz Rendon Epstein Becker & Green	617 342 4001	617 342 4000
Joseph Savage Testa, Hurwitz & Thibault	617 248 7100	617 248 7000

FROM: David A. Becker

ATTY BILLING NO.: 02678

Re: 10/24 Joint Defense Conference Call

<input type="checkbox"/> ORIGINAL(S) WILL FOLLOW	NUMBER OF PAGES, INCLUDING COVER:
--	-----------------------------------

MESSAGE:

11368

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IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL (202) 637-2392.

DC DOCS\75459.1

FROM LATHAM & WATKINS WASH DC #

(THU) 10. 23' 97 10:48/P 10:44/NO. 4261478035 P 2

**LATHAM & WATKINS**

ATTORNEYS AT LAW  
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WASHINGTON, D.C. 20004-2805  
TELEPHONE (202) 637-2200  
FAX (202) 637-2201

**VIA FACSIMILE**

TO:	Distribution	DATE:	October 23, 1997
		FILE NO.:	020967-0003
FROM:	David Becker	COPIES TO:	Mike Guzman Roger Goldman
SUBJECT:	<u>Joint Defense Conference Call</u>		

Tomorrow morning's conference call is scheduled for 10:00 am. Please dial (612) 321-0939 to join, and ask for the Goldman conference call. If you have any questions, please call me at (202) 637-2174.

**Distribution**

Gene Berman  
John Coyle  
Karen Green  
Mark Tuohey/Bill Lawler/Craig Margolis  
Carol Schwartz Rendon  
Joseph Savage

# EXHIBIT 'R'

Molten Metal Technology, Inc.  
DOE Subpoena

Contact List

Respondent	Name	Address	Phone	Fax
MMT	Roger Goldman	Latham & Watkins 1001 Pennsylvania Avenue N.W. Suite 1300 Washington, D. C. 20004-20505	202-637-2253	202-637-2201
MMT	Joseph F. Savage, Jr.	Testa, Hurwitz & Thibault, L.L.P. High Street Tower 125 High Street Boston, MA 02110	617-248-7000	617-248-7100
Bill Haney	Karen Green	Hale & Dore 60 State Street Boston, MA 02109	617-526-6000	617-526-5000
Ben Downs	Michael Kendall	McDermott, Willis & Emery 75 State Street Boston, MA 02109	617-345-5085	617-345-5077
Ethan Jacks	Dennis Saylor	Goodwin Proctor & Hoar Exchange Place Boston, MA 02109	617-570-1977	617-523-1231
Gene Berman	John Coyle	Duncan & Allen 1575 I Street, N. W. Suite 300 Washington, D.C. 20054	202-289-8400	202-289-8450
Vic Gatto	Mack H. Touhey, III William Laller	Vinson & Elkins, L.L.P. The Willard Office Building 1455 Pennsylvania Avenue, N. W. Washington, D. C. 20004-1008	202-369-6660 202-369-6500	202-369-6604
MMT Staff	Carole Schwartz Rendon	Epstein Becker & Green, P.C. 75 State Street Boston, MA 02109	617-342-4000	617-342-4001

4555. 008

# EXHIBIT 'S'





Molten Metal Technology

Molten Metal Technology, Inc. • 421 Currant Road • Fall River, MA 02720 • Tel: 508-675-3900 • Fax: 508-675-6544

By Facsimile and Federal Express

April 7, 1998

JOINT DEFENSE DOCUMENT

ATTORNEY - CLIENT PRIVILEGE

Carole Schwartz Rendon, Esq.  
Epstein, Becker & Green  
75 State Street  
Boston, MA 02109

Re: Rhonda Walker

Dear Carole:

As you know, Rhonda Walker reached a severance agreement with Molten Metal Technology, Inc. (MMT) in November of 1997. Pursuant to the terms of that agreement, neither party voluntarily can disclose information regarding the facts and circumstances of Ms. Walker's severance from MMT without the prior authorization of the other party.

In connection with your representation of Rhonda Walker, this letter will confirm that MMT consents to your providing information concerning the terms of Ms. Walker's severance arrangement with MMT in response to requests for information from Dan Schnelder at the Department of Justice's Campaign Finance Task Force. In addition, MMT specifically consents to your providing a copy of the letter that is attached hereto as Exhibit A to Dan Schnelder. Consent from MMT to any further voluntary disclosures of the facts surrounding Ms. Walker's departure from MMT will be considered on a case by case basis.

Very truly yours,

  
Ethan E. Jocks  
Vice President and General Counsel

drp/RWalker  
Enclosures

4640

RW 840

SENT BY: EPSTEIN BECKER & GREEN: 4- 7-98 :10:46AM :

BOSTON, MA. -

DUG JZ4 0003 17 07 0

EXHIBIT A

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

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(305) 855-1100

510 KING STREET, SUITE 301  
ALEXANDRIA, VIRGINIA 22314-3131  
(703) 884-1204

P.C. NEW YORK, WASHINGTON, D.C.  
CONNECTICUT, VIRGINIA, NEW JERSEY  
MASSACHUSETTS AND TEXAS ONLY

April 7, 1998

BY OVERNIGHT MAIL

**DRAFT**

Daniel Schneider, Esq.  
Trial Attorney  
U.S. Department of Justice  
Public Integrity Section - Criminal Division  
1001 G. Street, N.W.  
Suite 310  
Washington, DC 20001

Re: Rhonda Walker

Dear Dan:

As you know, I represent Rhonda Walker in connection with the on-going investigation of Molten Metal Technology being conducted by the Campaign Finance Task Force, the FBI and the Department of Energy's Office of the Inspector General. Pursuant to our telephone conversation on March 20, 1998, this proffer is being made pursuant to the terms of your March 11, 1998 letter, with the following modification. As we agreed, if this proffer is to be used in the grand jury, this letter will not be marked as, or introduced as a grand jury exhibit. Instead, you have agreed that any use of this proffer in the grand jury will be in the form of an agent testifying as to the substance of this letter. Moreover, as we discussed, this proffer is being offered as a result of your explanation that the substance of the requested proffer is relevant to the on-going grand jury investigation of Molten Metal Technology ("MMT"). As you have requested, this letter will set forth the factors that led Ms. Walker to leave her employment at MMT in November of 1997.

RW 841

SENT BY: EPSTEIN BECKER &amp; GREEN: 4- 7-98 :10:46AM :

BOSTON, MA. -

DUB 024 0001.77 0

**DRAFT**

Daniel Schneider, Esq.  
 April 7, 1998  
 Page 2

As you know, Ms. Walker began working at MMT in the Spring of 1996. At that time her position was Vice President of M4 and Government Sales. Ms. Walker reported directly to Vic Gatto. In the Spring of 1997, Ms. Walker reported to MMT headquarters personnel her allegations that Mr. Gatto was engaging in conduct that constituted sexual harassment of Ms. Walker. Nonetheless, according to Ms. Walker the problems with Mr. Gatto continued. Three months later, Ms. Walker's request to be removed from Vic Gatto's group was granted, and she began reporting directly to Charles Shaver.

As you may recall, in the Fall of 1997, MMT was facing a number of extreme financial crises. Large portions of the MMT work force had been laid off, and additional substantial reductions in force had been announced. Ms. Walker, who was still employed by MMT, had been told that her position was going to be eliminated in an up-coming RIF ("Reduction In Force"). Ms. Walker was concerned that the decision to eliminate her job was made, at least in part, in retaliation for her having reported allegations of sexual harassment by Mr. Gatto and the fact that she had requested a transfer from Mr. Gatto's group. Ms. Walker also alleged other violation of Title VII relating to the decision to terminate her position as compared to other non-terminated employees. Ms. Walker made those concerns known to individuals at MMT's corporate headquarters.

In November of 1997, Ms. Walker entered into a voluntary severance agreement with MMT. As is typical of severance agreements in general, Ms. Walker's agreement with MMT contains a mutual non-disclosure provision. MMT, however, has agreed that, in the limited context of this grand jury investigation, it will waive the non-disclosure provisions and permit me to discuss the details of Ms. Walker's severance agreement.

Ms. Walker's severance agreement, which does not specifically reference allegations or denials of sexual harassment or other Title VII claims, provides for a severance payment in the amount of \$112,500. That payment was made as a lump sum payment. The company also agreed to pay the fees of Ms. Walker's attorney who represented her in connection with these matters. Ms. Walker was permitted to retain as her personal property, the computer equipment and fax machine that had been purchased for Ms. Walker by MMT and which she had kept in her home. In turn, Ms. Walker agreed to return (and did return) all other company property to MMT.

MMT further agreed to provide Ms. Walker with a letter of recommendation, at her request, recommending her to potential future employers in the highest terms. Ms. Walker was advised of her right to continue her medical benefits at her own expense

RW 842

SENT BY: EPSTEIN BECKER & GREEN; 4-7-98 10:47AM

**DRAFT**

Daniel Schneider, Esq.

April 7, 1998

Page 3

consistent with the provisions of COBRA. Similarly, Ms. Walker was provided with information concerning her ability to convert her company life insurance and disability insurance policies into individual policies.

Pursuant to the terms of the company's stock option plan, Ms. Walker was advised that she had 90 days from the date of her separation from MMT within which to exercise her vested stock options. Ms. Walker did not exercise any of her stock options.

Ms. Walker, for her part, released MMT from any and all claims that she had or may have had against the company. Ms. Walker also represented that she had not, as of November 19, 1997, filed any complaints, charges, or lawsuits against the company with any governmental agency or court and that she would not thereafter file any such complaints, charges or lawsuits. To date, Ms. Walker has never filed a complaint, charge or lawsuit against MMT with any governmental agency or court.

I hope that this factual rendition answers your questions concerning Ms. Walker's separation from MMT. If, however, you have any questions regarding the foregoing recitation, or if anything is not sufficiently detailed or understandable as you had requested in your letter, please do not hesitate to contact me for additional information and clarification.

Very truly yours,

**DRAFT**

Carole Schwartz Rendon

cc: Rhonda Walker



**Molten Metal Technology**

Molten Metal Technology, Inc., 421 Currant Road, Fall River, MA 02720  
 Tel: (508) 324-6901 Fax: (508) 324-6401

**TO:**

<b>Name:</b> Carole Schwartz Rendon, Esq.	<b>Date:</b> April 7, 1998 2:34 PM
<b>Company:</b> Epstein, Becker & Green	<b>Fax No:</b> (617) 342-4001

**FROM:**

<b>Name:</b> Ethan Jacks	<b>Telephone:</b> (508) 324-6901
-----------------------------	-------------------------------------

**REFERENCE:**

Rhonda Walker
---------------

**MESSAGE:**

<b>Carole:</b>  Please see attached  Ethan
--

This facsimile message is confidential. It may contain information which is privileged or subject to other confidentiality requirements and exemptions from disclosure under applicable law. It is intended solely for the use of the individual(s) named above. If you are not the intended recipient(s), or the person responsible to deliver it to the intended recipient(s), you are hereby advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this facsimile message in error, please immediately notify the sender by telephone collect, and return the original message to the sender by US Mail. Postage in return facsimile transmission will be refunded.

page 1 of 5

RW 844

April 7, 1998

JOINT DEFENSE DOCUMENT

ATTORNEY - CLIENT PRIVILEGE

*by Fox and Cright*  
Carole Schwartz Rendon  
Epstein, Becker & Green  
75 State Street  
Boston, MA 02109

**DRAFT**

Re: Rhonda Walker

Dear Carole:

As you know, Rhonda Walker reached a severance agreement with Molten Metal Technology, Inc. (MMT) in November of 1997. Pursuant to the terms of that agreement, neither party voluntarily can disclosure information regarding the facts and circumstances of Ms. Walker's severance from MMT without the prior authorization of the other party.

In connection with your representation of Rhonda Walker, this letter will confirm that MMT consents to your providing information concerning the terms of Ms. Walker's severance arrangement with MMT in response to requests for information from Dan Schneider at the Department of Justice's Campaign Finance Task Force. In addition, MMT specifically consents to your providing a copy of the letter that is attached hereto as Exhibit A to Dan Schneider. Consent from MMT to any further voluntary disclosures of the facts surrounding Ms. Walker's departure from MMT will be considered on a case by case basis.

Very truly yours,

**DRAFT**

Ethan E. Jacks  
Vice President and General Counsel

RW 845

# EXHIBIT 'T'

**RIEMER & BRAUNSTEIN**  
COUNSELLORS AT LAW  
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TELECOPIER (617) 723-6831

**FILE COPY**

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ADMITTED IN OHIO ONLY

BURLINGTON OFFICE  
FIFTEEN NEW ENGLAND EXECUTIVE PARK  
BURLINGTON, MASSACHUSETTS 01803  
TELEPHONE (781) 273-2270  
TELECOPIER (781) 273-0776

November 5, 1998

**BY HAND**

Mr. Bill Hewitt  
c/o Glenn D. Burlingame, Esquire  
Epstein, Becker & Green, P.C.  
75 State Street, 27th Floor  
Boston, Massachusetts 02109

Re: MMT of Tennessee

Dear Mr. Hewitt:

Enclosed please find a copy of all of the contracts as listed on the enclosed copy of our October 30, 1998, correspondence to Ruedinger W. Koenig for your review.

If you have any questions or concerns or if you need any further documents, please do not hesitate to contact me.

Very truly yours,

*David W. Babner*  
sub  
David W. Babner

DWB/seb  
Enclosures

**Dictated but not read.**

343216.1